



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331

<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

May 20, 2014

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

39 May 20, 2014

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**GRANT OF EASEMENT
FROM THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT
LOS ANGELES RIVER PARCELS 2134GE, 2136GE, AND 2137GE
(SUPERVISORIAL DISTRICT 4)
(3 VOTES)**

SUBJECT

This action will allow the Los Angeles County Flood Control District to grant an easement for gas pipeline purposes to the City of Long Beach.

IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:

1. Acting as a responsible agency, find that the City of Long Beach's Sixth Street Natural Gas Pipeline Relocation Project is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the grant of easement to the City of Long Beach for gas pipeline purposes and its subsequent use of said easement will not interfere with the use of Los Angeles River Parcels 2134GE, 2136GE, and 2137GE for any purposes of the Los Angeles County Flood Control District.
3. Approve the grant of easement for gas pipeline purposes from the Los Angeles County Flood Control District to the City of Long Beach under and across Los Angeles River Parcels 2134GE, 2136GE, and 2137GE in the City of Long Beach for \$143,000.
4. Instruct the Chairman of the Board of Supervisors of the Los Angeles County Flood Control District to sign the Easement document and authorize delivery to the City of Long Beach.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to obtain approval from the Board, acting as the governing body of the Los Angeles County Flood Control District (LACFCD), to grant an easement for gas pipeline purposes under and across Los Angeles River Parcels 2134GE, 2136GE, and 2137GE to the City of Long Beach. The City requested this easement in connection with its Sixth Street Natural Gas Pipeline Relocation Project.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Fiscal Sustainability (Goal 2). This transaction allows for the continuation of utility services to the area, thereby improving the quality of life for residents of the County of Los Angeles. The revenue received from this transaction will help promote fiscal sustainability for the operation and maintenance of flood control facilities.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The cost of the easement is \$143,000, which represents the fair market value of the easement.

This amount has been paid and deposited into the Flood Control District Fund.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Los Angeles River Parcels 2134GE, 2136GE, and 2137GE are located easterly of Pico Avenue and south of the westerly prolongation of Sixth Street in the City.

The grant of easement is authorized by Section 2, paragraph 13, of the Los Angeles County Flood Control Act. This Section provides as follows: "The Los Angeles County Flood Control District is hereby declared to be a body corporate and politic, and has all the following powers...13. To lease, sell or dispose of any property (or any interest therein) whenever in the judgment of the board of supervisors of the property, or any interest therein or part thereof, is no longer required for the purposes of the district."

The grant of easement is not considered adverse to the LACFCD's purposes and will not hinder the use of the Los Angeles River for possible transportation, utility, or recreational corridors or flood control purposes. Moreover, the Easement document reserves paramount rights for LACFCD purposes.

County Counsel approved the Easement document as to form and, subsequent to Board action on this matter, the document will be recorded.

ENVIRONMENTAL DOCUMENTATION

The grant of easement from the LACFCD to the City, in connection with its Sixth Street Natural Gas Pipeline Relocation Project, is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15302(c) of the CEQA guidelines and Class 2 of the Environmental Reporting Procedures and Guidelines adopted by the Board. These exemptions provide for replacement and relocation of the existing facility where the new facility will be located in close proximity to the facility replaced and will have the same purpose and capacity as the facility replaced. The City is the Lead Agency for this project, and a Notice of Exemption was prepared by the City and filed with the office of the Registrar-Recorder/County Clerk of the County of Los Angeles on October 15, 2012.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action allows for the joint use of the LACFCD's right of way without interfering with the primary mission of the LACFCD.

CONCLUSION

Please return one adopted copy of this letter and the executed original Easement document to the Department of Public Works, Survey/Mapping & Property Management Division. Retain the duplicate for your files.

Respectfully submitted,



GAIL FARBER

Director

GF:SGS:tw

Enclosures

c: Auditor-Controller (Accounting Division - Asset Management)
Chief Executive Office (Rita Robinson)
County Counsel
Executive Office

DUPLICATE

RECORDING REQUESTED BY
AND MAIL TO:

Long Beach Gas & Oil Department
2400 East Spring Street
Long Beach, CA 90806-2203
Attention Steve Bateman

THIS DOCUMENT IS EXEMPT FROM DOCUMENTARY TRANSFER TAX PURSUANT TO
SECTION 11922 OF THE REVENUE & TAXATION CODE.

THIS DOCUMENT IS EXEMPT FROM RECORDING FEES PURSUANT TO SECTION
27383 OF THE GOVERNMENT CODE.

Space Above This Line Reserved for Recorder's Use

Assessor's Identification Number:
7278-011-908 (Portion)

EASEMENT

For a valuable consideration, receipt of which is hereby acknowledged, the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic (hereinafter referred to as DISTRICT), does hereby grant to the CITY OF LONG BEACH, a municipal corporation (hereinafter referred to as CITY), an easement for gas pipeline purposes in, under, and across the real property in the City of Long Beach, County of Los Angeles, State of California, described in Exhibit A and shown and delineated on Exhibit B, both of which are attached hereto and by this reference made a part hereof.

Subject to all matters of record and to the following reservation and conditions, which CITY by the acceptance of this Easement document and/or the exercise of any of the rights granted herein, agrees to keep and perform, viz:

1. DISTRICT reserves the paramount right to use said land for flood control purposes.
2. CITY agrees that it will not perform or arrange for the performance of any construction or reconstruction work in, under, and across the land herein described until the plans and specifications for such construction or reconstruction work shall have first been submitted to and been approved in writing by the Chief Engineer of the Los Angeles County Flood Control District. Such approval by DISTRICT shall not be interpreted or inferred as an endorsement or approval as to the design, accuracy, correctness, or authenticity of the information shown on the submitted plans and specifications. Furthermore, such approval cannot be relied upon for any other purpose or by any third party for any reason whatsoever. DISTRICT does not accept ownership or responsibility for the improvements.

Los Angeles River 2134 - (City of Long Beach);
s/o 7th Street-USACOE
(Files: LOS ANGELES RIVER 2134, 2136, and 2137)
Parcels 2134GE, 2136GE, and 2137GE
19-RW 64.1
S.D. 4
Project ID No. MPR0000556

M1323003

KR:bw

P:CONF:KREASELARIVER2134 10313 FNL 10713

3. CITY shall indemnify, defend, and save harmless DISTRICT, its officers, agents, and/or employees, from any and all claims, demands, liability, loss, damage, or expense to which DISTRICT, its officers, agents, and employees may be subjected as the result of any act or omission by CITY, its officers, agents, employees, or contractors arising out of the exercise by CITY, its officers, agents, employees, or contractors of any of the rights granted to it by this Easement document.
4. It is expressly understood that DISTRICT will not be called upon to construct, repair, maintain, or reconstruct any structure or improvement to be erected or constructed pursuant to this Easement document.
5. The provisions and conditions contained in this is Easement document shall be binding upon CITY and its successors and assigns.

To the extent any lawful assessment be levied pertaining to the area to which this easement applies and to the extent that the assessment is based on the structures and improvements being constructed under the authority of this easement and provided further that the assessment be levied following CITY's exercise of these easement rights to construct such structures and improvements, CITY agrees to pay on behalf of DISTRICT that part of any such assessment levied against DISTRICT, which is based on the value contributed to that area by CITY's said improvements.

Dated May 20, 2014



(LACFCD-SEAL)

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT,
a body corporate and politic

PRO TEM By Mike Antonovich
Chairman, Board of Supervisors of the
Los Angeles County Flood Control District

ATTEST:

SACHI A. HAMAI, Executive Officer
of the Board of Supervisors
of the County of Los Angeles

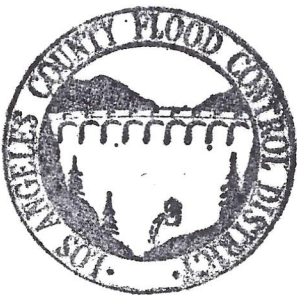
By Carla Little
Deputy

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

On January 6, 1987, the Board of Supervisors for the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts adopted a resolution pursuant to Section 25103 of the Government Code that authorized the use of facsimile signatures of the Chairman of the Board on all papers, documents, or instruments requiring the Chairman's signature.

The undersigned hereby certifies that on this 20th day of May, 2014, the facsimile signature of MIKE ANTONOVICH, Chairman of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, was affixed hereto as the official execution of this document. The undersigned further certifies that on this date a copy of the document was delivered to the Chairman of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT.

In witness whereof, I have also hereunto set my hand and affixed my official seal the day and year above written.



SACHI A. HAMAI, Executive Officer
of the Board of Supervisors
of the County of Los Angeles

By Carla Little
Deputy

(LACFCD-SEAL)

APPROVED AS TO FORM:

JOHN F. KRATTLI
County Counsel

By [Signature]
Deputy
for Carole Sybilie

APPROVED as to title and execution,
_____, 20____.
DEPARTMENT OF PUBLIC WORKS
Survey/Mapping & Property Management Division
Supervising Title Examiner
By _____

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the deed or grant herein, dated _____, from the Los Angeles County Flood Control District, a body corporate and politic, to the City of Long Beach, a municipal corporation, is hereby accepted pursuant to order of the City Council of the City of Long Beach, made on _____, and the grantee consents to the recordation thereof by its duly authorized officer, namely, the City Manager or Designee.

Dated _____

CITY OF LONG BEACH,
a municipal corporation

By _____

Its: _____

EXHIBIT A

File with: **LOS ANGELES RIVER 2134**
Affects: Parcels Nos. 2136, and 2137
19-RW 64.1
A.I.N. 7278-011-908 (Portion)
T.G. 795 (C7)
I.M. 024-217
S.D. 4
M1323003

LEGAL DESCRIPTION

PARCEL NO. 2134GE (Grant of easement for gas pipeline purposes):

Those portions of Sixth Street, 80 feet wide, and Water Street (formerly known as India Street), 60 feet wide, as both streets are shown on map of Back Bay Tract No. 2, recorded in Book 9, page 34, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, both streets being vacated by Ordinance No. B-666 of the City of Long Beach, and that portion of that certain parcel of land described in deed to LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, recorded on January 23, 1919, in Book 6726, page 285, of Deeds, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, within a strip of land 20 feet wide, lying 10 feet on each side of the following described centerline, said centerline hereby being designated as Line "A":

Commencing at the intersection of the centerline of said Sixth Street and a line parallel with and 720 feet easterly, measured at right angles, from the easterly sideline of Pico Avenue (formerly known as Water Street), 80 feet wide, as shown on said map; thence SOUTH, along said parallel line, a distance of 53.34 feet to the TRUE POINT OF BEGINNING; thence South 89°52'30" West 220.14 feet to the beginning of a tangent curve concave to the north and having a radius of 2,500 feet; thence westerly, along said curve, through a central angle of 2°18'39", an arc distance of 100.83 feet; thence tangent to said curve, North 87°48'51" West 399.35 feet to said easterly sideline.

Containing: 3451± square feet

PARCEL NO. 2136GE (Grant of easement for gas pipeline purposes):

Those portions of the above-mentioned Sixth Street and Water Street, and that portion of that certain 20-foot wide alley lying within Block 4 of the above-mentioned Back Bay Tract No. 2, all vacated by the above-mentioned Ordinance No. B-666, and that portion of that certain parcel of land described as Parcel No. 1, in deed to LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, recorded on June 10, 1919, in Book 6877, page 107, of above-mentioned Deeds, within a strip of land 20 feet wide, lying 10 feet on each side of the above-designated Line "A".

The sidelines of the above-described 20-foot wide strip of land shall be prolonged or shortened at their ends so as to terminate in the above-mentioned easterly sideline of Pico Avenue.

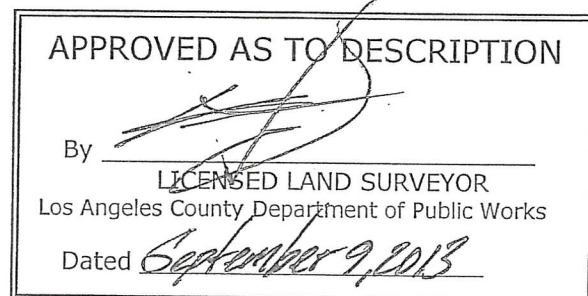
Containing: 5804± square feet

PARCEL NO. 2137GE (Grant of easement for gas pipeline purposes):

That portion of that certain parcel of land in the Rancho Los Cerritos as shown on map recorded in Book 2, pages 202 to 205, inclusive, of Patents, in the office of the above-mentioned Registrar-Recorder/County Clerk described as Parcel No. 2, in deed to LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, recorded on June 10, 1919, in Book 6877, page 107, of above-mentioned Deeds, within a strip of land 20 feet wide, lying 10 feet on each side of the above-designated Line "A".

EXCEPTING therefrom that portion lying within the above-described PARCEL NO. 2134GE, if any.

Containing: 1151± square feet



80

AVE

NORTH

(FORMERLY WATER ST)

80 PICO

720

CITY OF LONG BEACH
(EASEMENT - GAS PIPELINE)
PARCELS NOS. 2134GE,
2136GE, AND 2137GE
TOTAL AREA: 10406± SQ FT

{OR D6877-107
LACFCD (FEE)}

2136

{OR D6726-285
LACFCD (FEE)}

2134

$\Delta=2^{\circ}18'39''$
 $R=2500$
 $L=100.83$

{OR D6877-107
LACFCD (FEE)}

2137

PLAT

5

6

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BLK 2

E'LY LINE OF
F.C. CHANNEL
PER FM 18180

SIXTH

VAC ORD B-666

ST

SIXTH (VAC) ST

POC

6th ST

(FORMERLY SIXTH ST)
53.34

$N87^{\circ}48'51''W$ 399.35

LACFCD (EASEMENT)

$S89^{\circ}52'30''W$
220.14

10 BACK

9 BLK

8

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20

VAC ORD B-666

10

VAC ORD B-666

BAY

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